

BILL NO. 80-98

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COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 80-98

Introduced by Council President Hardwicke at request of County Executive

Legislative Day No. 80-33 Date December 16, 1980

AN ACT to authorize and empower Harford County, Maryland, to borrow on its full faith and credit, and issue and sell its bonds therefor, within three (3) fiscal years from the date the Act appropriating funds for the following capital projects became effective, an amount not exceeding \$10,223,174, such bonds to be designated "Harford County General Obligation Bonds of 1982", the proceeds thereof to be used for the expansion, reconstruction, rehabilitation, renovation and improvement of the capital projects hereinafter described, including site improvements, architectural and engineering services preparation of plans, drawings and specifications and the development of the grounds and landscaping thereof and all customary appurtenances and other equipment necessary or required for the addition to and renovation of the existing courthouse facility in Bel Air, Maryland, the development of a fire and ambulance communication system for the citizens of Harford County, Maryland, including a voice communication system, a computer aided dispatch system and a home alerting system to advise ambulance and volunteer fire company personnel of a need for their services, for the renovation of the lower level work release area in the Harford County Detention Center, for the construction of office and storage space in the Harford County Detention Center, for the development and completion of a northwest transfer facility consisting of site acquisition and an enclosed, paved dumping area as part of the County's Solid Waste Management Plan, for the development of a southeast transfer facility consisting of

By the Council, December 16, 1980

Introduced, read first time, ordered posted and public hearing scheduled

on: January 13, 1981

at: 7:00 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on January 13, 1981 and concluded on January 13, 1981.

Angela Markowski, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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an enclosed paved dumping area as part of the County's Solid Waste Management Plan, for the development of a central disposal facility for all solid waste within Harford County, Maryland, as part of the County's Solid Waste Management Plan, for construction of a road and drainage culvert and related appurtenances for the Tollgate landfill "Road B", for disposal of tires in the Mullins Landfill, for the John Archer School addition, for the Bel Air Elementary School, for the Highland/Slate Ridge Elementary School, for the Bel Air Senior High School renovation and addition, for the Harford Vocational Technical High School addition, to provide funds for the planning and installation of elevators and other adaptations in the Aberdeen Middle School, the Bel Air Middle School and the Joppatowne Senior High School so that these facilities will be accessible by handicapped persons, for the Forest Hill Elementary School renovation, for furniture and equipment necessary for the installation of new programs and expansion of existing programs, for the swimming pool addition for the Aberdeen Middle School, for the Churchville Elementary School renovation, to provide recreational field lighting for the Fallston High School, Havre de Grace Senior High School and Joppatowne High School, for emergency roof repairs and waterproofing to the Edgewood Middle School, Aberdeen Senior High School, Hillsdale Elementary School, Bakerfield Elementary School and Bel Air Middle School, to make the campus of Harford Community College accessible to handicapped persons through the installation of automatic door opening devices,

By the Council, _____

Introduced, read first time, ordered posted and public hearing scheduled

on: _____

at: _____

By Order: _____, Secretary

PUBLIC HEARING

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_____, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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braille signing, new walkways, and other renovations and additions, to plan the replacement of the existing septic system and waste water treatment facility for the Harford Community College, for the construction of the Fallston Branch Library including the design and construction of a solar energy and passive solar heating system, for the expansion of the Havre de Grace Branch Library, all of such expenditures being described in the Harford County Capital Budget Request - 5 Year Capital Program for the fiscal year 1980-1981, as amended, such projects being hereinafter referred to as the "Projects"; providing for the issuance of bond anticipation notes upon passage of a Resolution of the Harford County Council approving the interest rate or rates on said notes and the project or projects for which the proceeds of the sale of the notes shall be used; providing that the Bonds hereinabove described shall not be issued until a Bond Authorization Ordinance setting forth the project or projects for which such Bonds shall be sold and prescribing the form and maturity of the Bonds and other details incident to the sale of the Bonds, as being approved by the Harford County Council; and providing that within twelve (12) months after the issuance of said Bond Anticipation Notes or any renewal thereof, the County Council shall authorize the issuance of said Bonds to repay or pay said Bond Anticipation Notes; and generally relating to funding of capital projects in the 1980-1981 Capital Budget.

By the Council, _____

Introduced, read first time, ordered posted and public hearing scheduled

on: _____

at: _____

By Order: _____, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____ and concluded on _____.

_____, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 WHEREAS, the County Executive has recommended that Harford
2 County, Maryland, borrow on its full faith and credit an amount
3 not exceeding \$10,223,174 by the issuance of its Harford County
4 General Obligation Bonds of 1982, the proceeds thereof to be
5 used for the Projects; and

6 WHEREAS, in accordance with the provisions of Section
7 406 of the Charter of Harford County, the Director of Planning
8 has heretofore transmitted to the County Executive the recom-
9 mendations of the Planning Advisory Board for capital improve-
10 ments for the fiscal year ending June 30, 1981; and

11 WHEREAS, in accordance with the provisions of Section
12 505 of the Charter of Harford County, the County Executive
13 has reviewed such recommendations in light of existing capital
14 program and the County Executive and the Director of Administration
15 have included said recommendations for capital improvements,
16 as amended, in the proposed 1980-81 Capital Program which has
17 been submitted to the County Council and the County Council
18 has adopted a Capital Program and a Capital Budget for the
19 fiscal year ending June 30, 1981; and

20 WHEREAS, the Harford County Council pursuant to Bill No.
21 80-24 enacted the Annual Budget and Appropriation Ordinance of
22 Harford County, Maryland, for the fiscal year ending June 30,
23 1981; and

24 WHEREAS, the County Executive has recommended that
25 because of market conditions, including high interest rates, it
26 would be in the best interests of the County not to issue Bonds
27 which are long-term obligations, but rather, to issue Bond
28 Anticipation Notes of the County in an amount not greater than
29 the amount of Bonds authorized herein, in anticipation of the
30 subsequent sale of Bonds; and

31 WHEREAS, the principal of and interest on the Bond Antici-
32 pation Notes may be paid out of the first proceeds of the sale

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1 of the Bonds or from tax or other revenue which the County shall
2 have previously determined to apply to the payment of Bonds and
3 interest thereon; and

4 WHEREAS, it is the intent of the County to issue Bond
5 Anticipation Notes in accordance with the provisions of Section
6 12, Article 31 of the Annotated Code of Maryland; and

7 WHEREAS, such Bond Anticipation Notes shall be signed
8 on behalf of the County by the County Executive and attested
9 to by the Director of Administration of the County.

10 NOW, THEREFORE, in accordance with the provisions of the
11 Charter of Harford County, Maryland:

12 Section 1. *Be It Enacted By the County Council of Harford*
13 *County, Maryland*, that Harford County, Maryland shall issue
14 and sell upon the full faith and credit of Harford County,
15 Maryland, in the manner hereinafter provided not exceeding
16 \$10,223,174 aggregate principal amount of Serial Maturity Coupon
17 Bonds, the net proceeds of such sale to be used for the expansion,
18 reconstruction, rehabilitation and renovation, architectural
19 and engineering services, furnishing equipment, making site
20 improvements, preparation of plans, drawings and specifications,
21 the development of grounds and landscaping thereof and all
22 customary appurtenances and other equipment necessary or required
23 for the Projects. The Bonds shall be known as Harford County
24 General Obligation Bonds of 1982 and the net proceeds of the
25 Bonds may also be used to finance any lawful modification of
26 such Projects or the extent then permitted by law, any other
27 project lawfully undertaken by Harford County, Maryland, as
28 may be provided by subsequent legislation or resolution approved
29 by the Harford County Council. The issue or series of Bonds
30 authorized by this Act shall be known as Harford County General
31 Obligation Bond of 1982 (hereinafter sometimes called the
32 "Bonds").

1 Section 2. *Be It Further Enacted By The County Council of*
2 *Harford County, Maryland,* that the Bonds shall not be issued
3 unless and until a subsequent Bond Authorization Ordinance
4 prescribing the form and tenor of the Bonds, describing the
5 project for which the Bonds are issued and providing for other
6 details incident to the sale of the Bonds shall be approved
7 by the Harford County Council.

8 Section 3. *Be It Further Enacted By the County Council of*
9 *Harford County, Maryland,* that the Bonds shall not be issued
10 at the present time because of the current condition of the
11 municipal bond market including high interest rates.

12 Section 4. *Be It Further Enacted By The County Council of*
13 *Harford County, Maryland,* that Harford County, Maryland, is
14 hereby authorized and empowered from time to time to issue
15 its Bond Anticipation Note or Notes on the full faith and credit
16 of the County in the amount of \$10,223,174, the net proceeds
17 of such sale to be used to finance the cost of the construction
18 of the Projects.

19 Section 5. *And Be It Further Enacted By The County Council Of*
20 *Harford County, Maryland,* that such Bond Anticipation Note or
21 Notes or other evidence of indebtedness shall not have a maturity
22 in excess of twelve (12) months from the date of issue. The
23 Treasurer of Harford County, Maryland, shall negotiate with two
24 or more lending institutions for the best interest rates and
25 other terms for the Bond Anticipation Notes or other evidence
26 of indebtedness.

27 Section 6. *And Be It Further Enacted By The County Council Of*
28 *Harford County, Maryland,* that the Treasurer of Harford County,
29 Maryland, prior to the issuance of any such Bond Anticipation
30 Note or Notes or other evidence of indebtedness of the County
31 shall present the terms of such notes to the County Council for
32 approval by Resolution of the County Council prior to the

1 issuance of such Bond Anticipation Note or Notes.

2 Section 7. *And Be It Further Enacted By The County Council Of*
3 *Harford County, Maryland,* that the Bond Anticipation Note or
4 Notes shall bear interest at the rate or rates so negotiated
5 by the Treasurer and approved by Resolution of the County
6 Council of Harford County, Maryland, and the Bond Anticipation
7 Note or Notes when issued shall be issued in the name of Harford
8 County by the signature of the County Executive of Harford County,
9 Maryland, the corporate seal of the County shall be imprinted
10 on such Bond Anticipation Note or Notes and such Bond Anticipation
11 Note or Notes shall be attested by the manual signature of the
12 Director of Administration of Harford County, Maryland, and
13 the proceeds of sale of the Bond Anticipation Note or Notes
14 shall be used only for those purposes approved in a Resolution
15 of the Harford County Council adopted subsequent to the adop-
16 tion of this Ordinance.

17 Section 8. *And Be It Further Enacted By The County Council Of*
18 *Harford County, Maryland,* that the Bond Anticipation Note or
19 Notes shall not be issued in an amount greater than the amount
20 of Bonds authorized in anticipation of the sale of which the
21 Bond Anticipation Note or Notes are issued and sold.

22 Section 9. *And Be It Further Enacted By The County Council*
23 *Of Harford County, Maryland,* that the principal of and interest
24 on the Bond Anticipation Note or Notes shall be payable out
25 of the first proceeds of sale of the Bonds, or from the tax
26 or other revenue which the County shall previously determine
27 to apply to the payment of the Bonds and the interest thereon.

28 Section 10. *And Be It Further Enacted By The County Council*
29 *Of Harford County, Maryland,* that twelve (12) months interest
30 on the Bond Anticipation Note or Notes or any renewal thereof
31 may be paid from the proceeds of the Bond Anticipation Note or
32 Notes or from the proceeds of sale of the Bonds accounting

1 from the initial date of issue thereof.

2 Section 11. *And Be It Further Enacted By The County Council Of*
3 *Harford County, Maryland*, that by Resolution adopted by the
4 Harford County Council, the County may provide for the renewal
5 of the Bond Anticipation Note or Notes at maturity with or
6 without resale.

7 Section 12. *And Be It Further Enacted By The County Council Of*
8 *Harford County, Maryland*, that immediately after the sale
9 of the Bond Anticipation Note or Notes and approval by Resolution
10 of the Harford County Council, the proceeds of sale of such Bond
11 Anticipation Note or Notes shall be paid to the Department of the
12 Treasury of Harford County, Maryland. The proceeds of sale of the
13 Bond Anticipation Note or Notes shall be expended only to finance
14 the Projects as defined above.

15 Section 13. *And Be It Further Enacted By The County Council*
16 *Of Harford County, Maryland*, that the County covenants and
17 agrees to pay the Bond Anticipation Note or Notes and any
18 interest thereon not paid from the proceeds of the sale of the
19 Bond Anticipation Note or Notes from the proceeds of the sale
20 of the Bonds in anticipation of the sale of which the Bond
21 Anticipation Note or Notes are issued and the County further
22 covenants and agrees to issue the Bonds when, and as soon as,
23 the reason for deferring the issuance of the Bonds no longer
24 exists, and until any such Bonds are issued, for the purpose
25 of paying interest and principal on any Bond Anticipation
26 Note or Notes there is hereby levied and there shall hereafter
27 be levied in each fiscal year that any of the Bond Anticipation
28 Note or Notes are outstanding, ad valorem taxes on real and
29 tangible personal property and intangible property subject to
30 taxation by the County without limitation of rate or amount
31 and, in addition, upon such other intangible property as may
32 be subject to taxation by the County within limitations prescribed

1 by law in an amount sufficient together with funds from other
2 sources to pay the annual interest on the outstanding Bond
3 Anticipation Note or Notes as they mature and the full faith
4 and credit unlimited taxing power of the County is hereby
5 irrevocably pledged to the punctual payment of the principal
6 of any interest on the Bond Anticipation Note or Notes.

7 Section 14. *And Be It Further Enacted By The County Council*
8 *Of Harford County, Maryland*, that Harford County, Maryland,
9 by the passage of this Act hereby covenants and agrees properly
10 and promptly to perform all other respective acts and duties
11 as defined in this Act for the levy and collection of the
12 aforesaid ad valorem tax upon all assessible property within
13 the corporate limits of Harford County, Maryland, as the levy
14 and collection of such a tax becomes necessary in order to
15 pay the principal and interest on the Bond Anticipation Note
16 or Notes. By this Act, Harford County, Maryland, hereby
17 solemnly covenants and agrees with the holder of the Bond
18 Anticipation Note or Notes to take all action which the County
19 may be legally authorized and empowered to take in order to
20 enforce in any year in which any of the Bond Anticipation Note
21 or Notes are outstanding, the guarantee of such Bond Anticipation
22 Note or Notes by the County.

23 Section 15. *And Be It Further Enacted By The County Council*
24 *Of Harford County, Maryland*, that this Act shall take effect
25 sixty (60) calendar days from the date it becomes law.

26 EFFECTIVE: March 23, 1981

27
28 *The Secretary of the Council does hereby*
29 *certify that fifteen (15) copies of this Bill*
30 *are immediately available for distribution to*
31 *the public and the press.*

32 *Angela Markowski*, Secretary

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BY THE COUNCIL

Read the third time.

Passed LSD 81-3 (January 20, 1981) ~~(with amendments)~~~~Failed of Passage~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 21st day of January, 1981
at 3:00 o'clock P.M.

Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

Thomas J. Perazich
County ExecutiveDate January 22, 1981

BY THE COUNCIL

This Bill (No. 80-98), having been approved by the Executive
and returned to the Council, becomes law on January 22, 1981.

Angela Markowski, Secretary

Rec'd & Recorded 3-4 1981 at 1:00 P.M.
Lib. 6 Folio 316 & examined per
H. Douglas Chilcoat, Clerk, Harford Co.

EFFECTIVE DATE: March 23, 1981